

REMARKS/ARGUMENTS

1) Summary of Prosecution

Claims 1, 2, 4 to 10 and 12 to 17 are pending in the application. Claims 6, 9, 14 and 15 have been withdrawn from consideration. Claims 3 and 11 have been cancelled. The two pending independent claims 1 and 10 have been amended.

2) Anticipation (35 USC 102(b))

Claims 1-2, 4-5, 7-8, 10, 12-13 and 16-17 are rejected as anticipated by Peterson, Jr. (United States Patent No. 3,760,673). Of these claims, claims 1 and 10 are independent.

Claims 1 and 10 have been amended to clarify that “the blade and material support surface are movable relative to one another generally along a tangent”. It is respectfully submitted that the prior art clearly does disclose or suggest this.

Applicant respectfully disagrees that Peterson element 30 is movable relative to the element 35 via 36. The opposite is true. Element 30 is mounted and “secured to sub-base 32 by bolts 36” (columns 2, lines 65 to 69). There is absolutely no disclosure or suggestion that these elements are movable (the bolts 36 prevent this).

The surface 35 identified in the Office action has nothing to do with the material being processed. Surface 35 is for mounting the counterknife 30: “sub-base 32 has a slanting upper face 35 to which knife 30 is bolted” (column 3, lines 3 to 4). Surface 35 clearly is not a “material support surface”. The Applicant respectfully disagrees that element 35 is a support because it is “indirectly” (Office action page 3, paragraph 4) connected to the counterknife 30.

Furthermore, claim 1 includes that the surface is “for supporting the carpet”. The prior art reference has nothing to do with carpets or beveling. It is a plastic shredder. No surface is disclosed or suggested for supporting a carpet. Accordingly, claims 1 and 10 are not anticipated or rendered obvious.

3) Closing Remarks

In view of the above comments, the Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
OGILVY RENAULT LLP

By: /Brian W. Gray/
Brian W. Gray (Reg. No.30,017)
Tel.: (416) 216-1905

By: /Christopher N. Hunter/
Christopher N. Hunter (Reg. No. 52,528)
Tel.: (416) 216-1906